

**SUPREME COURT MINUTES
THURSDAY, AUGUST 11, 2011
SAN FRANCISCO, CALIFORNIA**

S068863**PEOPLE v. SCOTT III
(DAVID LYNN)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Corrigan, J.

-- joined by Cantil-Sakauye, C. J., Kennard, Baxter, Werdegar, Chin, and Aaron*, JJ.

*Associate Justice, Court of Appeal, Fourth Appellate District, Division One, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S179194

H034040 Sixth Appellate District

**BAKER (CHRISTINE) v.
WORKERS'
COMPENSATION APPEALS
BOARD & X.S.**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed and the matter remanded to that court for further proceedings consistent with the views expressed herein.

Majority Opinion by Baxter, J.

-- joined by Cantil-Sakauye, C. J., Kennard, Werdegar, Chin, Corrigan, and Lambden*, JJ.

*Associate Justice, Court of Appeal, First Appellate District, Division Two, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S179422

E047614 Fourth Appellate District, Div. 2

**PEOPLE v. LOWERY (EDDIE
JASON)**

Opinion filed: Judgment reversed

Although the Court of Appeal rejected defendant's First Amendment challenge to section 140(a), it did so on grounds that differ from those we have articulated here. Accordingly, we reverse the judgment of the Court of Appeal, and we remand this case to that court to consider whether our holding affects the judgment of conviction.

Majority Opinion by Kennard, J.

-- joined by Cantil-Sakauye, C. J., Baxter, Werdegar, Chin, Corrigan, and Zelon*, JJ.

Concurring Opinion by Baxter, J.

-- joined by Cantil-Sakauye, C. J., Werdegar, Chin, and Corrigan, JJ.

*Associate Justice of the Court of Appeal, Second Appellate District, Division Seven, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S194861**CALIFORNIA
REDEVELOPMENT
ASSOCIATION v.
MATOSANTOS (ANA)**

Order to show cause issued

The request for a stay of chapter 5, Statutes 2011, First Extraordinary Session (Assembly Bill No. 26 X1) is granted, except that the request to stay Division 24, Part 1.8 of the Health and Safety Code (Health & Saf. Code, §§ 34161-34167) is denied. The request for a stay of chapter 6, Statutes 2011, First Extraordinary Session (Assembly Bill No. 27 X1) is granted.

Ana Matosantos, Director of the California Department of Finance, John Chiang, Controller of the State of California, and Patrick O'Connell, Auditor-Controller of the County of Alameda, are ORDERED TO SHOW CAUSE before this court, when the above matter is called on calendar, why the relief sought by petitioners should not be granted.

The return is to be served and filed by respondents on or before September 9, 2011.

A reply may be served and filed by petitioners on or before September 24, 2011.

Any application to file an amicus curiae brief, accompanied by the proposed brief, may be served and filed on or before September 30, 2011.

Any reply to an amicus brief may be served and filed on or before October 7, 2011.

The court does not contemplate extending any time set out above. The briefing schedule is designed to facilitate oral argument as early as possible in 2011, and a decision before January 15, 2012.

Kennard, J., is of the opinion a stay should not be issued.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S195210**FREDERICKSON (DANIEL
CARL) ON H.C.**

Petition stricken (case closed)

The petition for writ of habeas corpus filed by petitioner on July 28, 2011, is hereby stricken as the petition was filed in error.

S187965

G038379 Fourth Appellate District, Div. 3

**PEOPLE v. MOSLEY
(STEVEN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to September 8, 2011.

S189889**CHAU (MINH) ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to September 17, 2011.

S192644 A124392 First Appellate District, Div. 4**PEOPLE v. BELTRAN (TARE
NICHOLAS)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to September 14, 2011.

S194129 D056998 Fourth Appellate District, Div. 1**VICKS (MICHAEL) ON H.C.**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Steve DeFilippis is hereby appointed to represent appellant on the appeal now pending in this court.

Petitioner's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S066939**PEOPLE v. ALLEN
(MICHAEL) & JOHNSON
(CLEAMON)**

Order filed

Appellant Allen's "Application for Two Counsel to Participate in Oral Argument" is denied.

S066939**PEOPLE v. ALLEN
(MICHAEL) & JOHNSON
(CLEAMON)**

Order filed

Appellant Allen's "Application for 45 Minutes for Oral Argument" is denied.

S193602**GEIER (CHRISTOPHER A.)
ON H.C.**

Order filed

The order filed on July 13, 2011, is hereby amended to read in its entirety:

Petitioner's "Application for Order to File Under Seal Exhibits 147 and 149 through 152 in Support of Petition for Writ of Habeas Corpus," filed on June 2, 2011, is granted. In ordering this sealing, this court makes the findings required by California Rules of Court, rules 2.550(d) and 8.46(e).

The Clerk is directed to file under seal Exhibits 147 and 149 through 152 in support of petitioner's Petition for Writ of Habeas Corpus, which was received conditionally under seal on June 2, 2011. Petitioner's counsel is ordered to serve a copy of these documents on counsel for Respondent. Counsel for petitioner and counsel for respondent are ordered not to publicly disclose the contents of these documents unless and until there is a further order of this court permitting such disclosure. It is further ordered that counsel for petitioner not release, or cause to be released,

these documents to petitioner and that only counsel for petitioner and counsel for respondent may have access to and use these documents.